

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
EASTERN DIVISION

WANDA CLOINGER

PLAINTIFF

vs.

Civil Case No. 2:04CV00172 HLJ

JO ANNE B. BARNHART, Commissioner,  
Social Security Administration

DEFENDANT

ORDER

Plaintiff has filed a motion for attorney's fees and expenses pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). She seeks compensation for 0.65 hours of work performed by her attorney before the district court in 2004 at a rate of \$152.00 per hour; 8.30 hours of work by her attorney performed before the court in 2005-2006 at the rate of \$156.00 per hour; 4.95 hours of work by a paralegal at the rate of \$65.00 per hour and expenses in the amount of \$13.95. The Commissioner does not object to the number of hours, the hourly rates submitted by Plaintiff or the requested expenses.

The maximum statutory rate of compensation for work performed by an attorney set forth in § 2412(d)(2)(A)(ii) is \$125.00. The increased rates requested by Plaintiff reflect an agreement between Plaintiff's counsel and the Office of the General Counsel of the Social Security Administration (Plaintiff's Exhibit A) to calculate attorneys' fees on an annualized basis, using the Consumer Price Index for All Urban Consumers (CPI-U). Accordingly, the court

approves an award of fees in the amount of \$1715.35 and expenses in the amount of \$13.95.

IT IS THEREFORE ORDERED that Plaintiff is awarded attorney's fees and expenses in the amount of \$1729.30, pursuant to EAJA. The Commissioner is directed to certify said award and pay Plaintiff's attorney this amount.

SO ORDERED this 23rd day of June, 2006.

  
United States Magistrate Judge